

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination
	10/650,030	EVANICKY ET AL.

Document Code - DISQ	Internal Document – DO NOT MAIL
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TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : May 22, 2006	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Henry D. Jefferson

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	27-May-06	APPL. S. N.:	10650030
To Examiner:	NGUYEN, KEVIN	Art Unit	2629
From	Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,

please initial, date and return this memo to me. THANK YOU.

- The T.D. is PROPER and has been recorded (see 14.23).
- The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
- The TD fee of [REDACTED] has not been submitted nor is there any authorization in the application file for the use of a deposit account
 - The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
 - The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
 - The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
 - The person who signed the T.D.:
 - is not an attorney "of record" (see 14.29 and 14.29.01).
 - has failed to state his/her capacity to sign for the business entity (see 14.28).
 - is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
 - No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
 - The T.D. is not signed (see 14.26 & 14.26.03).
 - The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
 - The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
 - The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
- Other: [REDACTED]
- Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: _____ Date: _____

Log Date:

ATTORNEY DOCKET NO.
062986.0295
(753.C1)

PATENT APPLICATION
10/650,030

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daniel E. Evanicky, et al.
Serial No.: 10/650,030
Filing Date: August 25, 2003
Confirmation No.: 6455
Group Art Unit: 2674
Examiner: Kevin M. Nguyen
Title: SYSTEM AND METHOD FOR PROVIDING A
WIDE ASPECT RATIO FLAT PANEL DISPLAY
MONITOR INDEPENDENT WHITE-BALANCE
ADJUSTMENT AND GAMMA CORRECTION
CAPABILITIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TERMINAL DISCLAIMER

In response to the Official Action mailed February 22, 2006, Applicant hereby submits this Terminal Disclaimer in support of the accompanying Response to Examiner's Action.

REMARKS

Silicon Graphics, Inc., 100% owner of the above-identified Application as evidenced by an assignment of the Application by the inventors to Silicon Graphics, Inc. recorded on July 22, 1998 and shown in the Assignment Records of the United States Patent and Trademark Office at Reel 009348, Frames 0476-0477, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and §173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,359,389, filed June 9, 2000 and issued March 19, 2002, also owned by Silicon Graphics, Inc. and hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent No. 6,359,389, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors, or assigns.

Applicant does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and §173 of prior U.S. Patent No. 6,359,389 as presently shortened by any terminal disclaimer, in the event that one or more of the following occurs to prior U.S. Patent No. 6,359,389: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

ATTORNEY DOCKET NO.
062986.0295
(753.C1)

PATENT APPLICATION
10/650,030

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CONCLUSION

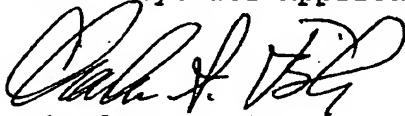
Please charge Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. an amount of \$130.00 to satisfy the terminal disclaimer fee of 37 C.F.R. §1.20(d).

The Commissioner is hereby authorized to charge any other fees or credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



Charles S. Fish

Reg. No. 35,870

May 22, 2006

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